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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/033,355	11/01/2001	George Jordan	15-784	7129	
7590 02/18/2005 WATTS, HOFFMANN, FISHER & HEINKE CO., L.P.A.			EXAM	EXAMINER	
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PO BOX 99839 Cleveland, OH 44199-0839		ART UNIT	PAPER NUMBER		
			1724		
		DATE MAILED: 02/18/2005			

Please find below and/or attached an Office communication concerning this application or proceeding.

Application No.   Application   Application						
## Deficiency   Part		Application No.	Applicant(s)			
Name C. Cindins   1724		10/033,355	JORDAN ET AL.			
The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  Exemisors for many be anxietion under the processors of 3 CPR 1.136(s). In or event, however, may a reply be timely filed  If the period for may spoulded above is test ann thing (30) days, and specific processors of the period for may) spoulded above is test ann thing (30) days, and specific processors of the period for may) spoulded above is test ann thing (30) days, and the contained and of this communication.  Faither to reply within the source visuation period will appear and the application to become ABANCOKED (30 U.S.C. § 133).  This period is period to communication (s) filled on 27 January 2005.  Status  1) Sesponsive to communication(s) filled on 27 January 2005.  2a) This action is FINAL.  2b) This action is non-final.  3) Since this application is in condition for allowance except for formal matters, prosecution as to the mentils is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4) Claim(s) 1, 2 and 14-19 is/are pending in the application.  4a) Of the above claim(s) is/are allowed.  5) Claim(s) is/are allowed.  6) Claim(s) is/are allowed.  6) Claim(s) are subject to restriction and/or election requirement.  Application Papers  9) The specification is objected to by the Examiner.  10) The drawing(s) filled on is/are: a) accepted or b) objected to by the Examiner.  Application Papers  9) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a)—All b)—Some **OC None of:  1 Certified copies of the priority documents have been received.  2 Certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  *See the attached detailed Office action for a list of the certified copies not received.	Oπice Action Summary	Examiner	Art Unit			
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  - Extension of lines may be available under the provisions of 37 CFR 1.136(a), in no event, however, may a reply be timply filed  - Extension of the provision of th			<u> </u>			
THE MAILING DATE OF THIS COMMUNICATION.  Extensions of the may be available under the provision of 37 CPR 1.13(g). In no event, however, may a reply be timely find after SIX (g) MONTHS from the mailing date of this communication.  If NO period for reply is specified above, the maximum statutory period within the statutory interior than the mailing date of this communication.  Falve to reply within the set or extended period for reply will. by statutory and very expension to become ABANDONED (38 U.S.C. § 133). Any roply received by the Official with the mailing date of this communication, even if trinsly fleed, may reduce any counterplant term adjustment. Set SY CFR 1.704(b).  Status  1)  Responsive to communication(s) filled on 27 January 2005.  2a)  This action is FINAL. 2b) This action is non-final.  3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4)  Claim(s) 1.2 and 14-19 is/are pending in the application.  4a) Of the above claim(s) is/are withdrawn from consideration.  5)  Claim(s) 1.2 and 14-19 is/are rejected.  7)  Claim(s) 1.2 and 14-19 is/are rejected to.  8)  Claim(s) 1.2 and 14-19 is/are rejected to.  8)  Claim(s) 2.2 and 14-19 is/are rejected to.  8)  The specification is objected to by the Examiner.  10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. § 119  12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) All b) some c) None of:  1.  Certified copies of the priority documents have		ears on the cover sheet with the c	correspondence address			
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Application/Control Number: 10/033,355

Art Unit: 1724

Prosecution before the Primary Examiner is hereby reopened, the Final Rejection dated December 1, 2004 is withdrawn, and the amendment filed January 27, 2005 has been entered.

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1, 2 and 14-19 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. The terms "the brine tank" (claim 1, line 6; claim 2, line 12; and claim 17, line 17), "the conditioning tank" (claim 2, line 7), and "the supply of water" (claim 2, line 9) lack antecedent basis in the claims, and are therefore indefinite. Also, claims 1, 2 and 17 are deemed to be incomplete because they fail to positively recite a structural connection between the brine tank and the "conduit in communication with the treatment tank" (see line 3 of claims 1, 2 and 17). Claim 17 is also misdescriptive since it is not clear that the first nozzle alone is capable of supplying water to the brine tank, as recited in line 17 of claim 17. Instead, it appears that a separate means for supplying water to the brine tank, which supplying means includes the first and second nozzles, is required in order to produce the brine in this brine tank. Claims 14-16, 18 and 19 depend from indefinite claims, and are therefore also indefinite. Furthermore, the term "a apparatus" (claim 14, line 2; and claim 17, line 4) does not appear to be grammatically correct, and should be changed to "an apparatus." Moreover, "a" should be inserted before "check valve" in line 8 of claim 14, and in line 10 of claim 17; and "fluid" should be inserted between "first" and "passage" in line 9 of claim 14, and in line 11 of claim 17, for the sake of clarity.

Claims 1, 2 and 14-19 would be allowed if rewritten or amended to overcome the above rejection under 35 U.S.C. § 112.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to I. Cintins whose telephone number is (571) 272-1155. The examiner can normally be reached on Monday through Friday from 8:30 AM to 5:00 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Duane Smith, can be reached at (571) 272-1166.

The centralized facsimile number for the USPTO is (703) 872-9306.

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Ivars C. Cintins Primary Examiner

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Art Unit 1724

I. Cintins February 16, 2005